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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, )  
09 Plaintiff, ) CASE NO. MJ 11-502  
10 v. )  
11 FRANCISCO RAMOS-ARTIAGA, ) DETENTION ORDER  
12 Defendant. )  
13 \_\_\_\_\_ )

14 Offense charged: Distribution of Heroin; Distribution of Methamphetamine

15 Date of Detention Hearing: October 21, 2011.

16 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
17 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
18 that no condition or combination of conditions which defendant can meet will reasonably  
19 assure the appearance of defendant as required and the safety of other persons and the  
20 community.

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

22 1. Defendant has been charged with a drug offense, the maximum penalty of which

01 is in excess of ten years. There is therefore a rebuttable presumption against defendant as to  
02 both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

03 2. Defendant has a sporadic work history, and was unable to provide the names of  
04 past employers. He has an unstable residence history as well.

05 3. Defendant admits membership in a local street gang but contends he has not  
06 been in the gang lifestyle for the past two months. However, the Complaint alleges that  
07 defendant offered to “take care of” some gang members for a Confidential Informant, showing  
08 a photograph of a UZI on his phone and indicating he would have used it.

09 4. The AUSA proffers that defendant is being investigated for involvement in a  
10 gang-related shooting this summer in Kent, that defendant allegedly made reference to this to  
11 the CI, and local police made similar reference to his alleged comments about the shooting and  
12 his involvement. The AUSA argues that defendant realizes that charged may be imminent in  
13 this shooting, increasing the risk of nonappearance.

14 5. Taken as a whole, the record does not effectively rebut the presumption that no  
15 condition or combination of conditions will reasonably assure the appearance of the defendant  
16 as required and the safety of the community.

17 It is therefore ORDERED:

- 18 1. Defendant shall be detained pending trial and committed to the custody of the Attorney  
19 General for confinement in a correction facility separate, to the extent practicable, from  
20 persons awaiting or serving sentences or being held in custody pending appeal;
- 21 2. Defendant shall be afforded reasonable opportunity for private consultation with  
22 counsel;

01 3. On order of the United States or on request of an attorney for the Government, the  
02 person in charge of the corrections facility in which defendant is confined shall deliver  
03 the defendant to a United States Marshal for the pupose of an appearance in connection  
04 with a court proceeding; and

05 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel  
06 for the defendant, to the United States Marshal, and to the United State Pretrial Services  
07 Officer.

08 DATED this 21st day of October, 2011.

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11 Mary Alice Theiler  
12 United States Magistrate Judge  
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